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Attorneys for Defendant: Otto Trucking LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; OTTO TRUCKING
LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF NEEL CHATTERJEE
IN SUPPORT OF DEFENDANT OTTO
TRUCKING'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF ITS RESPONSE TO
PLAINTIFF WAYMO LLC'S
CORRECTED SUPPLEMENTAL BRIEF
(DKT NO. 1501) IN SUPPORT OF ITS
MOTION FOR ORDER TO SHOW CAUSE**

Courtroom: F-15th Floor
Magistrate Judge: Hon. Jacqueline Scott Corley
Trial: October 10, 2017

Filed/Lodged Concurrently with:
1. Admin. Mtn. to File Documents Under Seal
2. [Proposed] Order
3. Redacted/Unredacted Versions
4. Proof of Service

I, Neel Chatterjee, declare as follows:

1. I am an attorney at the law firm of Goodwin Procter LLP, counsel of record for Defendant Otto Trucking LLC (“Otto Trucking”). I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Defendant Otto Trucking’s Administrative Motion to File Under Seal Portions of its Response to Plaintiff Waymo LLC’s Corrected Supplemental Brief (Dkt. 1501) in Support of its Motion for Order to Show Cause Why Defendants Should Not Be Held In Contempt (the “Administrative Motion”).

2. I have reviewed the following documents and confirmed that only the portions identified below merit provisional sealing:

Document	Portions to Be Filed Under Seal
Otto Trucking’s Response to Waymo’s Corrected Supplemental Brief	Highlighted Portions
Exhibit 2 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00086885 – 00086892	Highlighted Portions
Exhibit 3 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00086893 – 00086906	Entire Document
Exhibit 4 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00086932 – 00086939	Highlighted Portions
Exhibit 8 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00011805	Entire Document
Exhibit 9 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00086809 – 00086811	Entire Document
Exhibit 10 to Vu Declaration – Document Bates-stamped WAYMO-UBER-00086907 – 00086917	Entire Document
Exhibit 11 to Vu Declaration – Document Bates-stamped WAYMO-	Entire Document

1	UBER-00086800 – 00086808	
2	Exhibit 12 to Vu Declaration – Document Bates-stamped WAYMO- 3 UBER-00086812 – 00086814	Entire Document
4	Exhibit 13 to Vu Declaration – Document Bates-stamped WAYMO- 5 UBER-00084600 – 00084601	Entire Document
6	Exhibit 14 to Vu Declaration – Document Bates-stamped WAYMO- 7 UBER-00083662 – 00083663	Entire Document
8	Exhibit 15 to Vu Declaration – Document Bates-stamped WAYMO- 9 UBER-00035458 – 00035459	Entire Document
10	Exhibit 16 to Vu Declaration – Document Bates-stamped WAYMO- 11 UBER-00086817 – 00086819	Entire Document
12	Exhibit 17 to Vu Declaration – Document Bates-stamped WAYMO- 13 UBER-00084551 – 00084555	Entire Document
14	Exhibit 18 to Vu Declaration – Document Bates-stamped WAYMO- 15 UBER-00084575 – 00084581	Entire Document
16	Exhibit 19 to Vu Declaration – 17 Declaration of Michael Janosko dated March 9, 2017	Entire Document
18	Exhibit 22 to Vu Declaration – 19 Excerpts of Deposition Transcript of Kristinn Gudjonsson dated July 28, 20 2017	Highlighted Portions
21	Exhibit 23 to Vu Declaration – 22 Excerpts of Deposition Transcript of Kristinn Gudjonsson dated September 8, 2017	Entire Document
23	Exhibit 25 to Vu Declaration – 24 Excerpts of Deposition Transcript of Alexander (Sasha) Zbrozek dated 25 September 6, 2017	Entire Document
26	Exhibit 28 to Vu Declaration – 27 Excerpts of Expert Report of Erik Laykin dated September 7, 2017	Entire Document

Exhibit 29 to Vu Declaration – Document Bates-stamped UBER00077201 – 00077202	Entire Document
Exhibit 30 to Vu Declaration -- Document Bates-stamped WAYMO- UBER-00047580	Entire Document

3. The highlighted portions of Otto Trucking’s Response to Waymo’s Corrected Supplemental Brief, the highlighted portions of Exhibits 2, 4 and 22 to the Vu Declaration, and the entirety of Exhibits 2, 3, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 23, 25, 28, and 30 to the Vu Declaration contain information that Waymo has designated “Confidential” or “Highly Confidential – Attorneys’ Eyes Only” pursuant to the Protective Order in this case. Otto Trucking states no position about whether the confidentiality designations are appropriate.

4. Otto Trucking anticipates that Waymo will file any necessary declarations to seal the above information pursuant to Local Rule 79-5.

5. Exhibit 29 is a true and correct copy of an email and its attachment. The entirety of Exhibit 29 contains information that Uber Technologies, Inc. (“Uber”) has designated “Confidential” pursuant to the Protective Order in this case.

6. Uber will file a declaration to seal Exhibit 29 pursuant to Local Rule 79-5.

7. Otto Trucking’s request to seal is narrowly tailored to those portions of the Response to Waymo’s Corrected Supplemental Brief and its supporting documents that merit sealing.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 15th day of September, 2017 in San Francisco, California.

/s/ Neel Chatterjee
Neel Chatterjee

PROOF OF SERVICE

I hereby certify that I electronically filed the foregoing document including all of its attachments with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on **September 15, 2017**. I further certify that all participants in the case are registered CM/ECF users and that service of the publicly filed documents will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed on **September 15, 2017**.

/s/ Neel Chatterjee
NEEL CHATTERJEE